

REMARKS/ARGUMENTS

STATUS OF CLAIMS

In response to the Office Action dated August 10, 2007, claims 1, 5 and 9 have been amended, and claims 4, 6 and 13-15 have been canceled. Claims 1-3, 5 and 7-12 are now pending in this application. No new matter has been added.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103

I. Claims 14 and 15 have been rejected under 35 U.S.C. § 102(a) as being anticipated by Hunter et al. (US 2001/0026251). However, as Hunter et al. has a publication date of October 4, 2001 and the present application was filed in the U.S. on February 18, 2004, it would appear that the rejection should be based on 35 U.S.C. § 102(b).

Claims 1-5 and 7-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hunter et al. in view of Yumoto (US 2002/0195964).

II. The continued indication that claim 6 is objected to, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims, is acknowledged and appreciated.

By this response, independent claim 1 has been amended to include all the limitations of claim 6 and intervening claim 4, both now canceled. In addition, claims 5 and 9 have been amended to depend from amended independent claim 1 and claims 13-

15 have been canceled. Therefore, pending claims 1-3, 5 and 7-12, as amended, should be allowable.

CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise, Reg. No. 34,523, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: November 8, 2007

Respectfully submitted,

By 

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